

REMARKS

1. The Examiner has required a separation of species in the following Groups:
- I. Claims 2-5 and 10
  - II. Claims 1 and 6-9.
- Applicants elect to prosecute Group II.
- Applicant traverses the grouping by the Examiner. The Examiner states that claim 2 is not generic because it reads on FIG. 1. Applicant points out that it is generic because it reads on both FIG. 1 and FIG. 2. The Examiner then points out that claim 5 is dependent on claim 2, and because the Examiner did not consider claim 2 to be in Group II, that claim 5 would not be in Group II.
- Applicant points out that claim 5 reads specifically on FIG. 2, and therefore should be in Group II.
2. The specification has been amended to correct typographical errors. No new matter has been added.
3. The drawings have been objected to for not showing every feature of the invention specified in the claims. Claims 8 and 9 are canceled by the above amendment. The claimed inventions are now shown by the Figures, and withdrawal of this objection is respectfully traversed.
4. Claims 1, 6 and 7 have been rejected under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.
- The Examiner states that "it is not clear how the combustion gases are passed through the soil and not injected into the soil because there is no method steps set forth in the claim that would preclude the gases from being injected into the soil." Applicant respectfully points the Examiner's attention to the specification, page 4, lines 10-11. The combustion gases are prevented from entering the soil through perforations in the conduit because the conduit is maintained at a negative pressure. When gases are flowed through a conduit maintained at a negative pressure, gases from outside the conduit are drawn in, and gases inside the conduit are maintained in the conduit. Additionally, the Examiner states that it is "not clear where the horizontal conduit" is located. The horizontal conduits are labeled 204 and 205 in Figure 2.
- In view of the above remarks, the 112 rejection is believed to have been obviated and withdrawal of the rejection is respectfully requested.



3. Claims 1, 6 and 7 have been rejected under 35 USC §103(a) as being obvious over Johnson (5,271,693). This rejection is respectfully traversed for the following reasons.

The Johnson reference does not teach nor suggest drawing in the contaminants via the same conduits through which the combustion gases are circulated. Thus, a *prima facie* basis for obviousness has not been established and therefore the reference does not render the instant invention obvious.

In view of these arguments, Applicants respectfully request that this rejection be withdrawn and the claims allowed to proceed to issuance.

6. In view of the foregoing remarks, this application is now believed to be in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

Mikkus et al.

By



Attorney, Del S. Christensen  
Registration No. 33,482  
(713) 241-3997

P. O. Box 2463  
Houston, Texas 77252-2463